

ASSEMBLY BILL

No. 787

Introduced by Assembly Member Dutra

February 20, 2003

An act to amend Sections 17073.15, 17073.20, 17074.10, 17074.26, and 17077.40 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 787, as introduced, Dutra. Joint-use facilities.

(1) Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

Existing law authorizes funding for the modernization of permanent buildings that are at least 25 years old, or portable classrooms that are at least 20 years old, that have, prior to November 4, 1998, not been previously modernized with state funds.

Existing law requires the board to adopt regulations to adjust the per-pupil amount for modernization projects for buildings that are 50 years old or older based upon the higher costs of modernizing older buildings.

This bill would, instead, permit modernization funding of facilities that have not been previously modernized within the immediately preceding 25- or 20-year period.

This bill would permit modernization of permanent buildings or portable classrooms that are 50 years old or older that have had previous state-funded modernizations, but would require the board to consider

previous modernization funding granted within the immediately preceding 25- to 20-year period in adjusting the per-pupil amount.

(2) Existing law authorizes the board to provide a grant to fund joint-use projects to construct facilities that meet prescribed criteria, including, but not limited to, multipurpose rooms, gymnasiums, childcare facilities, or libraries.

This bill would include athletic stadium facilities within the joint-use facilities authorized pursuant to these provisions and would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17073.15 of the Education Code is
2 amended to read:

3 17073.15. A school district shall be eligible to receive an
4 apportionment for modernization of permanent school buildings
5 ~~that are more than 25 years old, or in the case of portable~~
6 ~~classrooms that are at least 20 years old, and that have not been~~
7 ~~previously modernized with state funding~~ *meet the criteria set*
8 *forth in this article.*

9 SEC. 2. Section 17073.20 of the Education Code is amended
10 to read:

11 17073.20. (a) Funding may be approved for the
12 modernization of any permanent school building that is more than
13 25 years old, or, ~~in the case of any portable classroom as described~~
14 ~~in Section 17071.30 that is more than 20 years old, as described in~~
15 ~~Section 17071.30, and that prior to November 4, 1998, had if it has~~
16 not been previously modernized with state funding *within the*
17 *immediately preceding 25- or 20-year period, as the case may be.*

18 (b) *Notwithstanding subdivision (a), funding may be approved*
19 *for the modernization of a school building or portable classroom*
20 *that is 50 years old or older notwithstanding the fact that the*
21 *building may have been previously modernized with state funding*
22 *within the immediately preceding 25- or 20-year period, as the*
23 *case may be. However, in adjusting the per-pupil amount pursuant*
24 *to Section 17074.26 for any building that is 50 years old or older*
25 *and has been previously modernized within the immediately*
26 *preceding 25- or 20-year period, as the case may be, the board*

1 *shall consider previous state-funded modernizations and the*
2 *nature and extent of the work completed pursuant to those projects*
3 *and shall determine the building's current deficiencies and the*
4 *level of funding required to satisfactorily enhance the building's*
5 *expected life or usefulness.*

6 SEC. 3. Section 17074.10 of the Education Code is amended
7 to read:

8 17074.10. (a) The board shall determine the total funding
9 eligibility of a school district for modernization funding by
10 multiplying the following amounts by each pupil of that grade
11 level housed in permanent school buildings ~~that are at least 25~~
12 ~~years old or portable classrooms that are at least 20 years old, and~~
13 ~~that have not been previously modernized with state funding meet~~
14 *the criteria set forth in this article:*

15 (1) Two thousand two hundred forty-six dollars (\$2,246) for
16 each elementary pupil.

17 (2) Two thousand three hundred seventy-six dollars (\$2,376)
18 for each middle school pupil.

19 (3) Three thousand one hundred ten dollars (\$3,110) for each
20 high school pupil.

21 (b) The board shall annually adjust the factors set forth in
22 subdivision (a) according to the adjustment for inflation set forth
23 in the statewide cost index for class B construction, as determined
24 by the board.

25 (c) The board may adopt regulations to be effective until July
26 1, 2000, that adjust the amounts identified in this section for
27 qualifying individuals with exceptional needs, as defined in
28 Section 56026. The regulations shall be amended after July 1,
29 2000, in consideration of the recommendations provided pursuant
30 to Section 17072.15.

31 (d) It is the intent of the Legislature that the amounts provided
32 pursuant to this article for school modernization do not include
33 funding for administrative and overhead costs.

34 (e) For a school district having an enrollment of 2,500 or less
35 for the prior fiscal year, the board may approve a supplemental
36 apportionment of up to two thousand five hundred dollars (\$2,500)
37 for any modernization project assistance. The amount of the
38 supplemental apportionment shall be adjusted in 2001 and every
39 year thereafter by an amount equal to the percentage adjustment
40 for class B construction.

1 SEC. 4. Section 17074.26 of the Education Code is amended
2 to read:

3 17074.26. The board shall adopt regulations to adjust the
4 per-pupil amounts set forth in Section ~~17074.14~~ 17074.10 for
5 modernization projects for school buildings that are 50 years old
6 or older based upon the higher costs associated with modernizing
7 older buildings.

8 SEC. 5. Section 17077.40 of the Education Code is amended
9 to read:

10 17077.40. (a) With funds made available for the purposes of
11 this article, the board may provide a grant to fund joint-use projects
12 to construct facilities on kindergarten to grade 12, inclusive,
13 schoolsites.

14 (b) A school district may apply to the board for funding under
15 this article for a project that meets any of the following criteria:

16 (1) The joint-use project is a part of an application for new
17 construction funding under this chapter, and is for the purpose of
18 providing facilities to be used for a kindergarten to grade 12/higher
19 education collaborative effort for any of the following purposes:

20 (A) To improve pupil academic achievement.

21 (B) To provide teacher education.

22 (C) To provide childcare facilities.

23 (D) *To provide athletic stadium facilities.*

24 (2) The joint-use project is part of an application for new
25 construction funding under this chapter, and will increase the size
26 or extra cost associated with the joint use of the proposed
27 multipurpose room, gymnasium, childcare facility, *athletic*
28 *stadium*, or library beyond that necessary for school use.

29 (3) The joint-use project is for a kindergarten to grade
30 12/higher education collaborative effort to improve academic
31 achievement or provide teacher education, or a multipurpose
32 room, gymnasium, library, *athletic stadium*, or childcare facility,
33 and the project will be located at a school that does not have the
34 type of facility for which funds are requested or the existing
35 facility is inadequate.

